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FEB 20 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

John E. Hoffmann, George Rodney Nelson, Jr., Daniel I. Riley, Antoine J. Rouphael and James A. Proctor, Jr.

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Application No.: 09/773,253

Group Art Unit: 2631

FEB 24 2004

Filed: January 31, 2001

Examiner: Not assigned

Technology Center 2600

Confirmation No.: 4333

Title: MAXIMIZING DATA RATE BY ADJUSTING CODES AND CODE RATES
IN CDMA SYSTEM

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

2/17/04

Date

Therese A. Norcutt

Signature

Margaret A. Norcutt

Typed or printed name of person signing certificate

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☒ submission of the enclosed International Search Report (reference AN3).
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☒ the enclosed English language abstracts (references AP2 - AM3).

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Dated: *2/13/04*

APPLICATION NO.
09/773,253

FILING DATE
01/31/01

CONFIRMATION NO.
4333

GROUP
2631

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(DATE)

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AC	4,460,992	07/17/1984	Gutleber
	AD	4,625,308	11/25/1986	Kim et al.
	AE	4,862,453	08/29/1989	West et al.
	AF	4,866,709	09/12/1989	West et al.
	AG	5,027,348	07/25/1991	Curry, Jr.
	AH	5,103,459	04/07/1992	Gilhousen et al.
	AI	5,115,309	05/19/1992	Hang
	AJ	5,394,473	02/28/1995	Davidson
	AK	5,463,403	10/31/1995	Walker et al.
	AA2	5,487,072	01/23/1996	Kant
	AB2	5,511,079	04/23/1996	Dillon
	AC2	5,559,788	09/24/1996	Zscheile, Jr. et al.
	AD2	5,606,574	02/25/1997	Hasegawa et al.
	AE2	5,663,958	09/02/1997	Ward
	AF2	5,699,364	12/16/1997	Sato et al.
	AG2	5,699,369	12/16/1997	Guha
	AH2	5,781,542	07/14/1998	Tanaka et al.
	AI2	5,805,567	09/08/1998	Ramesh
	AJ2	5,815,508	09/29/1998	Wadzinske et al.
	AK2	6,151,332	11/21/2000	Gorsuch et al.
	AA3	6,236,647 B1	05/22/2001	Amalfitano
	AB3	6,310,856 B1	10/30/2001	Taipale
	AC3			

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DATE CONSIDERED

APPLICATION NO.
09/773,253

FIRST NAMED INVENTOR
John E. Hoffmann

FILING DATE
01/31/01

(DATE)

EXAMINER
Not assigned

CONFIRMATION NO.
4333

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(Use several sheets if necessary)

FOREIGN PATENT DOCUMENTS

[illegible]

EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
2479.2021-000APPLICATION NO.
09/773,253INFORMATION DISCLOSURE CITATION
IN AN APPLICATIONFIRST NAMED INVENTOR
John E. HoffmannFILING DATE
01/31/01

(DATE)

EXAMINER
Not assignedCONFIRMATION NO.
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(Use several sheets if necessary)

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AT	Hagenauer, J., "Rate-Compatible Punctured Convolutional Codes (RCPC Codes) and their Applications," <i>IEEE Transactions on Communications</i> , 36(4):389-400 (April 1988).
AU	Lin, S. et al., "Automatic-Repeat-Request Error-Control Schemes," <i>IEEE Communications Magazine</i> , 22(12):5-17 (December 1984).
AV	Shacham, N., "A Selective-Repeat-ARQ Protocol for Parallel Channels and Its Resequencing Analysis," <i>IEEE Transactions on Communications</i> , 40(4):773-782 (April 1992).
AW	Rupar, M. et al., "Satellite VSAT Networking using CDMA," <i>American Institute of Aeronautics and Astronautics</i> , Paper No. AIAA-98-5158, 1998 (p. 1-6).
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